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9 **UNITED STATES DISTRICT COURT**  
10 **FOR THE DISTRICT OF NEVADA**

11 GINA MICELI,

12 Plaintiffs,

13 vs.

14 CITIGROUP, INC. dba, CITIBANK;  
15 JEFFREY DUNMIRE,

16 Defendants.

Case No.: 2:15-cv-01962-GMN-VCF

**STIPULATION AND ORDER FOR  
EXTENSION OF TIME TO RESPOND  
TO COMPLAINT**

**(Second Request)**

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18 Pursuant to LR 6-1, 6-2, and 7-1, Plaintiff Gina Miceli ("Plaintiff") and Defendants  
19 Citigroup, Inc. dba Citibank ("Citibank") and Jeffrey Dunmire ("Dunmire") (collectively referred  
20 to as "Defendants") respectfully request an order from this Court extending the deadline for  
21 Dunmire to file his response to the Complaint ("Complaint"), pursuant to Fed.R.Civ.Pro. 6(b)(1),  
22 and LR 6-1, from December 7, 2015, up to and including, February 2, 2016, the same date  
23 Citibank's response is currently due.

24 Plaintiff's Complaint was filed on October 9, 2015 (Dkt. #1). Dunmire's response is due  
25 on or before December 7, 2015. On December 4, 2015, Plaintiff requested that Citibank waive  
26 service of summons in this action to save the unnecessary expense of serving a summons and  
27 complaint pursuant to Federal Rule of Civil Procedure 4(d). Citibank's response is due on or  
28 before Tuesday, February 2, 2016. Since Defendants will be filing a joint response, it would be

1 unnecessary for Dunmire to file a response prior to Citibank.

2 In addition, the parties are working on fulfilling their meet and confer obligations  
3 concerning moving the matter to arbitration in light of the Employment Arbitration Policy (the  
4 “ADR Policy”). Plaintiff’s counsel has been out of the office due to a family emergency and the  
5 parties have been unable to have a meaningful meet and confer as to this issue, under no fault of  
6 either party. The parties intend to meet and confer over this issue before filing a response.  
7 Moreover, if the parties cannot come to an agreement concerning the ADR Policy, it would  
8 preserve judicial resources and additional unnecessary filings if Defendants can jointly respond to  
9 the complaint.

10 In light of the waiver of service and Plaintiff’s counsel’s unavailability due to the  
11 unforeseen circumstances, the parties agree that Dunmire may have up to and including Tuesday,  
12 February 2, 2016 to respond to the Complaint.

13 This is the second request for an extension. In an abundance of caution, Citibank was  
14 included in the Motion for an Extension to Respond to the Complaint – First Request because it  
15 was unknown whether the entity had been served.

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This stipulation is filed before the response to the Complaint is due and is filed in good faith and not for the purpose of unwarranted delay.

**IT IS SO STIPULATED:**

Dated: December 4, 2015.

Dated: December 4, 2015

LAW OFFICES OF TELIA U. WILLIAMS

OGLETREE, DEAKINS, NASH, SMOAK & STEWART, P.C.

*/s/ Telia U. Williams*

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**ORDER**

**IT IS SO ORDERED.**



UNITED STATES ~~DISTRICT COURT~~ JUDGE

December 4, 2015 Magistrate

DATE

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